

REMARKS

Applicants respectfully request reconsideration of this application, as amended.

Without concession as to the propriety of the outstanding rejection, the independent claims have been amended to recite more specific features of the invention.

Applicants would like to thank the Examiner for the courtesies extended to Applicants' undersigned representative during the recent telephone interview. During the interview all of the claims were discussed in relation to the 35 U.S.C. §101 rejection and the overall operation of the invention reviewed and compared with the claim terminology.

Regarding the 35 U.S.C. §101 rejection, Applicants respectfully submit the claims are fully in compliance with all aspects of 35 U.S.C. §101. For example, in relation to independent Claim 1, a system is claimed that generates, manages and stores preservation objects on preservation media, such as a compact disc, DVD, microfiche or other media as discussed in the specification and illustrated in Fig. 1. Thus, Applicants respectfully submit the claims are not directed simply toward a process that consists solely of the manipulation of a data structure, and are thus statutory.

Regarding the art-based rejection in view Gustman, Applicants respectfully submit that Gustman is directed to and limited to *digital data* in a digital library system. This becomes even more evident upon review of, for example, the abstract of Gustman that says the invention is a digital library system that includes data capture mechanisms that include data transfer cataloging mechanisms, and an asset management system for access storage management of data and the distribution system for distributing the data and system functionality.

There is no teaching, suggestion or functionality in Gustman that anticipates nor renders obvious the combination of features as recited in the independent claims.

At least based on the above, Applicants respectfully submit the independent claims are patentably distinguishable from the Gustman reference. The claims that depend therefrom are also patentably distinguishable for at least the same reasons and furthermore in view of the additional feature(s) they recite.

An early Notice of Allowance is respectfully solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 19-1970 (5552-2) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby petitioned.

Respectfully submitted,

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By: _____

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